

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON

KELLY S.,

Plaintiff,

Case No. 3:23-cv-16

vs.

COMMISSIONER OF THE SOCIAL  
SECURITY ADMINISTRATION,

District Judge Michael J. Newman  
Magistrate Judge Chelsey M. Vascura

Defendant.

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**ORDER: (1) ADOPTING THE REPORT AND RECOMMENDATION OF THE  
UNITED STATES MAGISTRATE JUDGE (Doc. No. 11); (2) OVERRULING  
PLAINTIFF'S OBJECTION (Doc. No. 12); (3) AFFIRMING THE ALJ'S NON-  
DISABILITY FINDING; AND (4) TERMINATING THIS CASE ON THE DOCKET**

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This Social Security appeal is before the Court on the Report and Recommendation of United States Magistrate Judge Chelsey M. Vasscura (Doc. No. 11), to whom this case was referred pursuant to 28 U.S.C. § 636(b). Judge Vascura recommends that the Administrative Law Judge's ("ALJ's") non-disability finding be affirmed. Plaintiff objects to the Report and Recommendation (Doc. No. 12), and the Commissioner has responded (Doc. No. 13).

As required by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72(a), the Court has reviewed the comprehensive findings of the Magistrate Judge and considered *de novo* all filings in this matter, including Plaintiff's objection and the Commissioner's response. The Court determines that the Report and Recommendation sets forth the applicable law and is well reasoned. Accordingly, it is hereby **ORDERED** that: (1) the Report and Recommendation is **ADOPTED**; (2) Plaintiff's objection is **OVERRULED**; (3) the ALJ's non-disability finding is **AFFIRMED**; and (4) this case

is **TERMINATED** on the docket.

**IT IS SO ORDERED.**

March 7, 2024

*s/Michael J. Newman*  
Hon. Michael J. Newman  
United States District Judge